



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

February 19, 2014

**Received**

**FEB 19 2014**

California  
Coastal Commission

Dr. Charles Lester, Executive Director  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105-2219

Dear Dr. Lester:

**FORMAL SUBMITTAL OF AMENDMENT TO THE 1986 LAND USE PLAN (LUP) FOR MALIBU, AND ESTABLISHING THE SANTA MONICA MOUNTAINS LAND USE PLAN (LUP); FORMAL SUBMITTAL OF SANTA MONICA MOUNTAINS LOCAL IMPLEMENTATION PROGRAM (LIP), COMBINING FROM THE SANTA MONICA MOUNTAINS LOCAL COASTAL PROGRAM (LCP)**

On behalf of the County of Los Angeles, I am pleased to file documents that collectively form an LCP for the Santa Monica Mountains area of Los Angeles County. If certified, this document will complete the Coastal Program for the County of Los Angeles, and shift permit authority for over 51,000 acres to the County.

Consistent with Coastal Commission (Commission) regulations § 13518-13519, we are submitting:

Attachment A – A summary of the measures taken to consult and coordinate pursuant to §13518(a); a listing of persons contacted and commenting; a summary of significant comments received, and the County's responses to those comments.

Attachment B – A complete copy of the Santa Monica Mountains LCP, LUP and LIP.

Attachment C – Conformity analysis to meet the requirements of Coastal Commission regulations §13511. This analysis is presented in two different forms to allow the Coastal Commission staff to select which form they prefer.

Attachment D – A summary of Individual and Cumulative Impacts of the LCP.

Attachment E – A summary of the major differences between 1986 Malibu LCP, LUP and the current submittal.

### **Justification**

The County has developed a program for the LCP that preserves the best practices currently employed by Commission staff and accomplishes more habitat protection than is legally possible under the Coastal Act alone. Therefore, the LCP, combined with the County's autonomous authority to regulate development and its significant monetary commitment to land acquisition in the Santa Monica Mountains Coastal Zone, will lead to a more comprehensive regulatory scheme to protect important resources in the Coastal Zone.

First, The County's approach is grounded in a peer-reviewed biological study of the habitats found within the Santa Monica Mountains. The County began its renewed LCP effort by studying the resources of the Santa Monica Mountains with particular care. The resource designations and the field confirmations allowed a much more finely textured identification of flora and fauna than had previously been available in this area. The County then worked with Commission staff to further refine resource classifications and priorities with the goal of identifying the finest resources in the Mountains, and distinguishing those resources from those that are important and deserving of protection, but are comparatively less unique and sensitive. The LCP therefore reflects the input of the County Biologist, consulting Biologists Dan Cooper and Robb Hamilton, as well as Dr. John Dixon and Dr. Jonna Engel of the Commission staff.

Second, the LCP provides an overall level of protection to all areas designated H1 and H2 that meet or exceed the level of protection provided by current Commission practices used to enforce the Chapter Three policies of the Coastal Act. The LCP has been deliberately crafted through the cooperative efforts of Commission and County staff to not only meet the requirements necessary to justify certification of an LCP under the Coastal Act, but also improve upon the existing practices of the County and Commission.

Third, the LCP will guarantee at least \$2 million of funding for land acquisition, more than doubling the amount of mitigation fees collected by the Commission over the past nine years. In addition to imposing structural limitations on development that meet or exceed the current Commission practices used to implement the Chapter Three policies of the Coastal Act, the LCP will guarantee at least \$2 million of funding for the acquisition of land and development rights in the Santa Monica Mountains Coastal Zone prior to the ten-year anniversary of the LCP. To ensure performance, the County will prepare an annual monitoring report to track the progress of the LCP's acquisition plan, and a review will be required after five years. In exchange for this upfront financial commitment, the County will not charge a habitat mitigation fee to single-family residences and accessory structures within the confines of the allowed building site.

Fourth, the LCP recognizes the horse-keeping tradition of the Santa Monica Mountains by allowing carefully designed equestrian facilities to be established with Fuel Modification Zones A, B, and C. The LCP proposes an important accommodation of further equestrian use in the Santa Monica Mountains beyond that allowed by the Commission today. Specifically, the LCP will allow small-scale backyard horse boarding and will allow equestrian facilities to be established in H2 habitat on slopes of 3:1 or less within Fuel Modification Zones A, B or C, along with associated grading. The facilities so established are also subject to the following requirements:

1. The facilities must meet all other policies of the LCP.
2. If the facilities require additional fuel modification beyond that of the principal permitted use, a mitigation fee must be paid.
3. In no case can the facilities encroach into the 100-foot buffer for H1 habitat (which includes, but is not limited to, riparian areas).
4. An equestrian facility may be located outside of the fuel modification area, if and only if, there is no area of 3:1 slope inside the fuel modification area for the principal permitted use where the equestrian facilities could be located, and the facilities are located on slopes of 4:1 or less, and constitute not more than five percent of the parcel area, or two acres, whichever is less.

Finally, subject to all other standards of the LCP, horsekeeping is allowed in H3. Furthermore, the LCP provides a process to accommodate horse facilities established at least 13 years ago without a permit. This "grandfather" provision is designed to encourage relocation, if possible, of facilities and to ensure that the facilities are observing Best Management Practices by encouraging owners to voluntarily come forward for a permit.

### **Conclusion**

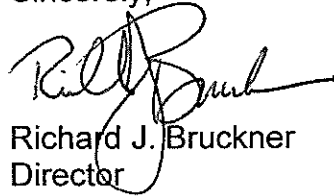
The Santa Monica Mountains LCP offers the opportunity to permanently codify several central themes of coastal protection, as well as provide predictability for the County, the Coastal Commission and property owners. The stability of LUR afforded by this document will greatly enhance the delivery of coastal benefits, together with the land regulation and land acquisition components. The certification of the LCP is thus a superior way to further Coastal Act policies as compared with the case-by-case approach currently used. For all of these reasons, certifying the LCP represents a significant improvement to current practices, fulfills a long-overdue requirement of State

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law, and sets a new and lasting standard for environmental protection in the Santa Monica Mountains.

We are grateful for the time and effort that Commission staff has dedicated to this effort thus far and look forward to a continuation of this collaborative approach as the staff prepares for the Coastal Commission's consideration of our submittal. The County of Los Angeles respectfully requests that this LCP in its entirety be calendared at the April meeting of the Coastal Commission. We stand ready to assist in that goal and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard J. Bruckner", written over the printed name and title.

Richard J. Bruckner  
Director

RJB:MC:JH:ems

Attachments

c: Supervisor Zev Yaroslavsky (Ben Saltsman, Lisa R. Garcia)

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